



WASHINGTON STATE LIQUOR CONTROL BOARD

Notice of Rule Change

Sampling Qualifications for Beer/Wine Specialty Shops

The Washington State Liquor Control Board has adopted the following changes to WAC 314-02-105 regarding qualifications for beer/wine specialty shops to sample. **The rule change will become effective October 23, 2004.**

If you have any questions please contact Teresa Berntsen, Rules Coordinator, at 360-664-1648 or teb@liq.wa.gov.

WAC 314-02-105 What is a beer and/or wine specialty store license?

(1) Per RCW 66.24.371, a beer and/or wine specialty store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is one hundred dollars.

(3) Qualifications for license--To obtain and maintain a beer and/or wine specialty store license, the premises must be stocked with an inventory of beer and/or wine in excess of three thousand dollars wholesale value. This inventory must be:

(a) Stocked within the confines of the licensed premises; and

(b) Maintained on the premises at all times the premises is licensed, with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

(4) Qualifications to sample--A beer and/or wine specialty store licensee may allow customers to sample beer and wine for the purpose of sales promotion, if the primary business is the sale of beer and/or wine at retail((=)), and the licensee meets the requirements outlined in either subsection (a) or subsection (b) of this rule:

(a) A licensee's gross retail sales of beer and/or wine ((must)) exceeds fifty percent of all gross sales for the entire business((=));
or

(b) The licensed premises is a beer and/or wine specialty store that conducts bona fide cooking classes for the purpose of pairing beer and/or wine with food, under the following conditions:

(i) The licensee must establish to the satisfaction of the board that the classes are bona fide cooking courses. The licensee must charge participants a fee for the course(s).

(ii) The sampling must be limited to a clearly defined area of the premises.

(iii) The licensee must receive prior approval from the board's licensing and regulation division before conducting sampling with cooking classes.

(iv) Once approved for sampling, the licensee must provide the board's enforcement and education division a list of all scheduled cooking classes during which beer and/or wine samples will be served. The licensee must notify the board at least forty-eight hours in advance if classes are added.

(5) (~~Sampling may be conducted~~) Licensees who qualify for sampling under subsection (4) of this rule may sample under the following conditions:

(a) No more than a total of eight ounces of alcohol may be provided to a customer during any one visit to the premises;

(b) Each sample must be two ounces or less; and

(c) No more than one sample of any single brand and type of beer or wine may be provided to a customer during any one visit to the premises.

~~((45))~~ (6) A beer and/or wine specialty store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-115 regarding keg registration requirements.